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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

KORNBLUTH et al

Atty. Ref.: 1579-470; Confirmation No. 9966

Appl. No. 09/924,102

TC/A.U. 1642

Filed: August 8, 2001

Examiner: Yu, M.

For: REAPER PROTEIN

**RECEIVED**

NOV 22 2004

\* \* \* \* \*

**OFFICE OF PETITIONS**

November 16, 2004

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: E. Shirene Willis

Sir:

**RENEWED PETITION UNDER 37 CFR 1.137(b)**  
**AND RECONSIDERATION REQUEST**

In response to the Decision On Petition dated September 16, 2004, a renewed Petition is hereby made to revive the above-identified application. The June 18, 2004 Petition to revive the above application has been dismissed on the basis that "the required reply" was not present in the application file. As requested in the Decision, submitted herewith is a copy of the required reply to the November 4, 2003 Office Action, which required reply was originally filed concurrently with the Petition to Revive on June 18, 2004. Also attached are copies of the postcard receipts evidencing the filing of both the Petition and the required reply (Amendment) on June 18, 2004.

KORNBLUTH et al  
Appl. No. 09/924,102  
November 16, 2004

As indicated in the Petition filed June 18, 2004, the entire delay in filing the required reply to the November 4, 2003 Office Action from the due date for the reply (February 4, 2004) until the filing of the Petition was unintentional.

Under the circumstance, no further fee is believed to be required but should the Office take a different view, the Commissioner is hereby authorized to charge any such fee to the undersigned firm's Deposit Account No. 14-1140 (1579-470).

Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

By: Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-470

C# M#

KORNBLUTH et al

TC/A.U.

1642

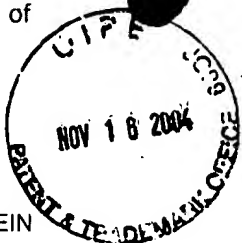
Serial No. 09/924,102

Examiner: Yu, M.

Filed: August 8, 2001

Date: November 16, 2004

Title: REAPER PROTEIN



Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: E. Shirene Willis

**RECEIVED**

NOV 22 2004

**OFFICE OF PETITIONS**

Sir:

**RENEWED PETITION UNDER 37 CFR 1.137(B) AND RECONSIDERATION REQUEST**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 88.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
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Facsimile: (703) 816-4100  
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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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Atty Dkt. 1579-470

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Title: REAPER PROTEIN

Commissioner for Patents  
P.O. Box 1450  
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RECEIVED

NOV 22 2004

OFFICE OF PETITIONS

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Final disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

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Other: 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

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Signature: Mary J. Wilson